

**MILLER KORZENIK SOMMERS RAYMAN LLP**

THE PARAMOUNT BUILDING • 1501 BROADWAY, SUITE 2015 • NEW YORK, NY 10036  
TEL 212-752-9200 • FAX 212-688-3996 • WWW.MKSR.LAW

June 17, 2024

*Via ECF*

Judge Paul A. Engelmayer  
Mag. Judge Sarah Netburn  
United States Courthouse  
40 Foley Square  
New York, NY 10007

**Re: *Goldner et al. v Norris et al.* - 1:23-cv-04078-PAE-SN  
*Notice of Objection to Without Prejudice Dismissal*; Dkt. 52**

Dear Judges Engelmayer and Netburn:

We write on behalf of *Andrews McMeel Publishing LLC* and *Andrews McMeel Universal, LLC* ("AM").

We object generally to Plaintiffs' effort to withdraw claims against AM "*without prejudice*." Dkt. 52. The expectation was 1) that the existing claims would be withdraw *with prejudice* and 2) that no new claims based on the same underlying circumstances would be initiated against the AM defendants - not in this Court or in any other venue.

That expectation was grounded not only on earlier discussions with Goldner's counsel, but also on Mag. Judge Netburn's Order of March 18, 2024. Dkt. 41, 49 & 51. Plaintiffs seem now to want to leave that prospect open with their dismissal "*without prejudice*."

Before filing their Voluntary Dismissal on June 14, Plaintiffs' counsel asked if we would consent to the dismissal without prejudice. We advised Plaintiffs' counsel that we could not consent to that. We gave them notice that if the Goldner Plaintiffs seek to renew the dismissed claims, to add new ones, or to bring this action against AM in another venue to evade the oversight of this Court, then they do so at their peril. We will see fees and sanctions for their doing so. Any possible claims against AM defendants would either be frivolous, time barred or both. This letter is made to put Plaintiffs on such notice.

Respectfully Submitted,  
Miller Korzenik Sommers Rayman LLP  
By: //s/ David S. Korzenik //  
David S. Korzenik  
[dkorzenik@mkslex.com](mailto:dkorzenik@mkslex.com)  
*Counsel for Andrews McMeel Defendants*